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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2165

In re Application of )

Joshua D. Kaplan )

Serial No.: 09/412,404 )

Filed: October 5, 1999 )

For: **NETWORK APPARATUS AND** )  
**METHOD FOR PREVIEW OF** )  
**MUSIC PRODUCTS AND** )  
**COMPILATION OF MARKET** )  
**DATA** )

A Continuation of: )

Serial No. 08/741,915 )

Filed: October 31, 1996 )

Examiner: Fadok, M.

Art Unit: 2165

**SUPPLEMENTAL INFORMATION**  
**DISCLOSURE STATEMENT**

CERTIFICATE OF MAILING

I hereby certify that this document is being transmitted to the U.S. Patent and Trademark Office located at Post Office Box 1450, Alexandria, VA 22313-1450 on this date January 27, 2006 .

By: \_\_\_\_\_

Teri Nelmark

Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is filed before the mailing date of any final action under § 1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified). A copy of each of the items listed on form PTO-1449 is supplied herewith.

A concise explanation of relevance of the items listed on PTO-1449 is not given. The Examiner is respectfully reminded that a "concise explanation of the relevance" of the submitted prior art "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 C.F.R. § 1.97(b), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 C.F.R. § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge any fees necessary in connection with this matter to Deposit Account No. 04-0822.

Respectfully submitted,  
DERGOSITS & NOAH LLP

Dated: January 27, 2006

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